

he is a defaulter be sooner paid; and the certificate of the comptroller of the State of Maryland, or of the respective clerks of the county commissioners, showing the accused to be a defaulter, shall in every prosecution under this section be received as *prima facie* evidence of such defalcation; and the judges of the courts having criminal jurisdiction in this State shall give this law in charge to the grand juries summoned to their respective courts.

Johns v. State, 55 Md. 359. State v. Nicholson, 67 Md. 1.

#### **Destroying Property Maliciously.**

P. G. L., (1860,) art. 30, sec. 38. 1744, ch. 5. 1751, ch. 7.

**48.** If any person shall cut or destroy any tobacco plants belonging to any other person, or shall cause the same to be done, or shall by any means cause or excite any person to cut or destroy any tobacco or tobacco plants belonging to any other person, on conviction thereof he shall pay to the party grieved five hundred dollars, and suffer six months' imprisonment, and shall also remain in prison till the said sum be satisfied. And if the offender shall not be able to pay the said sum of money, then he shall remain in prison twelve months.

*Ibid.* sec. 39. 1809, ch. 138, sec. 6.

**49.** Every person convicted of wilfully and maliciously stabbing, killing or destroying any horse, mare, gelding, colt, ass or mule, not the property of such person, and not in the act of trespassing on his enclosures, shall undergo a confinement in the penitentiary for not less than eighteen months nor more than four years.

1870, ch. 354.

**50.** Every person convicted of wilfully and maliciously stabbing, killing or destroying any bull, steer, cow, heifer or calf, not the property of such person, and not in the act of trespassing on his enclosures, shall undergo confinement in the penitentiary for not less than one year nor more than four years.

P. G. L., (1860,) art. 30, sec. 40. 1882, ch. 447.

**51.** If any person shall enter any dwelling-house, out-house, stable, barn, warehouse, store-house, banking-house, factory,